

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q95704

Joon-Haeng RHEE, et al.

Appln. No.: 10/585,880

Group Art Unit: 1645

Confirmation No.: 4676

Examiner: Nina Archie

Filed: May 3, 2007

For: MUCOSAL VACCINE ADJUVANTS CONTAINING BACTERIAL FLAGELLINS AS AN
ACTIVE COMPONENT

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the references which are previously submitted.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The following lists the references cited in each of foreign patent office communications listed in the instant IDS and the status of the references.

**European Patent Office, Office Action issued in application 05 721 779.6,
dated Nov. 5, 2009**

- McSorley S.J., “Bacterial Flagellin is an Effective Adjuvant for CD4+ T Cells In Vivo, J. of Immunology,” Vol. 169, No. 7, pp. 3914-3919, October 1, 2002 - *disclosed in an Information Disclosure Statement filed in the present application on July 19, 2007 and considered by the Examiner;*
- WO 02/085933 - disclosed in an Information Disclosure Statement in the present application on September 16, 2009 and considered by the Examiner;
- Smith, K.D., et al., “Toll-like receptor 5 recognizes a conserved site on flagellin required for protofilament formation and bacterial motility,” Nature Immunology, Vol. 4, No. 12, pp 1247-1253, Dec. 1, 2003 - disclosed in an Information Disclosure Statement filed in the present application on September 16, 2009 and considered by the Examiner;
- DATABASE UniProt, March 1, 2003, “SubName: Full=Flagellin FlaE;” accession no. Uniprot:Q8DFJ8, Database accession no. Q8DFJ8 - disclosed in an Information Disclosure Statement filed in the present application on September 16, 2009 and considered by the Examiner;
- WO 2004/002092 disclosed in an Information Disclosure Statement in the present application on September 16, 2009 and considered by the Examiner.

**Gov't of India Patent Office, First Examination Report issued in application no.
806/MUMNP/2006 dated Dec. 31, 2009**

- McSorley S.J., “Bacterial Flagellin is an Effective Adjuvant for CD4+ T Cells In Vivo, J. of Immunology,” Vol. 169, No. 7, pp. 3914-3919, October 1, 2002 - disclosed in an Information Disclosure Statement filed in the present application on July 19, 2007 and considered by the Examiner;
- Wu, Jane Y., et al., “Expression of immunogenic epitopes of hepatitis B surface antigen with hybrid flagellin proteins by a vaccine strain of *Salmonella*,” Proc. Natl. Acad Sci., Vol. 86, pp. 4726-4730, June 1989 - disclosed herein;
- WO 02/085933 - disclosed in an Information Disclosure Statement in the present application on September 16, 2009 and considered by the Examiner.

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Attorney Docket No.: Q95704

**Chinese Office Action issued in application no 200580002321.4 on March 11, 2010
with English translation**

- McSorley S.J., "Bacterial Flagellin is an Effective Adjuvant for CD4+ T Cells In Vivo, J. of Immunology," Vol. 169, No. 7, pp. 3914-3919, October 1, 2002 - disclosed in an Information Disclosure Statement filed in the present application on July 19, 2007 and considered by the Examiner;

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: April 7, 2010